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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,614	04/02/2001	L. Scott Rich	RSW9-2001-0073-US1	1069
7590	04/08/2005		EXAMINER	
Theodore Naccarella Synnestvedt & Lechner 2600 Aramark Tower. 1101 Market Street Philadelphia, PA 19107-2950			AVELLINO, JOSEPH E	
			ART UNIT	PAPER NUMBER
			2143	
			DATE MAILED: 04/08/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/824,614 Examiner Joseph E. Avellino	RICH ET AL. Art Unit 2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 January 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 21 May 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claims 1-15 are presented for examination with claims 1, 5, 6, and 12 independent.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-4, 7-9, 11, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Dorsett, Jr. (US 2002/0128734) (hereinafter Dorsett).

3. Referring to claim 1, Dorsett discloses a method for exchanging objects between two computing entities in an OOP environment using a transport mechanism in which said data units are contained in files, each file defining a resource, each resource designed to contain a plurality of particular ones of said objects, said method comprising the steps of:

providing a resource factory for building resources, said factory including a plurality of software modules (i.e. database server process 130) for building resources from a data source, each said software module designed to build a resource of a particular type (p. 9, ¶ 81);

responsive to a request for an object from a first computing entity, selecting a software module for building a resource of the type to which said requested object corresponds (p. 9, ¶ 85);

building a resource for containing the requested object using said selected software module, said resource populated with information defining said resource, but not containing said requested object (p. 9, ¶ 85-88);

inserting said requested object into said resource (p. 9, ¶ 85-88);

transmitting said resource to said first computing entity using said transport mechanism (p. 9, ¶ 85-88); and

providing said requested object to the first computing entity (p. 9, ¶ 85-88).

4. Referring to claim 2, Dorsett discloses only said requested object is inserted in said resource (i.e. retrieve THE object by ID) (p. 9, ¶ 85).

5. Referring to claim 3, Dorsett discloses providing a reflection adapter factory for populating objects within resources, said factory adapted to provide software modules for populating objects, each said software module designed for an environment corresponding to a requested object (p. 9);

responsive to a request for a property of said object, selecting a one of said reflection adapters for the environment of the particular requested property (p. 9, ¶ 81-85);

populating said object with said requested property (populating its fields and sub-objects if necessary) (p. 9, ¶ 85);

providing said first computing unit said requested property (p. 9, ¶ 85).

6. Referring to claim 4, Dorsett discloses populating said object with all properties of said object that can be reflected (since the object is populated with all properties, it inherently can populate the object with properties which can be reflected) (p. 9, ¶ 85).

7. Referring to claim 7, Dorsett discloses said transport mechanism comprises XML and said files comprise XML documents (p. 9, ¶ 81-85).

8. Referring to claim 8, Dorsett discloses said objects comprise Java objects (p. 9, ¶ 81-85).

9. Referring to claim 9, Dorsett discloses said files comprise XMI documents (Dorsett discloses using XML documents, which is a superset of XMI documents) (Figure 6).

10. Referring to claim 11, Dorsett discloses said information defining said resource comprises at least a package object of said resource (any object which is incorporated into a resource inherently helps define the resource) (p. 9, ¶ 80-85)

11. Referring to claim 13, Dorsett discloses said data source for building is a live system (i.e. a properly working computer system) (e.g abstract; Figure 1).
12. Referring to claim 14, Dorsett discloses said data source for building comprises a database (p. 9, ¶ 83).
13. Referring to claim 15, Dorsett discloses said data source for building said resources comprises a document in a format other than a format of said transport mechanism (i.e. Java constructs embedded in XMI documents) (p. 9, ¶ 80-86).

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorsett in view of Francis et al. (USPN 6,665,861) (hereinafter Francis).

16. Referring to claim 10, Dorsett discloses the invention substantively as described in claim 9. Dorsett does not specifically disclose using the MOF of the OMG specification to read an XMI document. In analogous art, Francis discloses using the MOF of the OMG specification to read an XMI document (col. 7, lines 11-22). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Francis with Dorsett since Dorsett discloses packaging data using known techniques in a format for communication to a database server (p. 5, ¶ 47). This would lead one of ordinary skill in the art to find other techniques to transport data to a server, in which Francis does by using the Meta-Object Facility of the OMG specification.

Claim 5, 6, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorsett in view of Kumar (USPN 6,651,140).

17. Referring to claims 5 and 6, Dorsett discloses the invention substantively as described in claim 2. Dorsett does not disclose determining whether the first computing entity as stored a resource containing said object and, if so, skipping steps 2-5. In

analogous art, Kumar discloses determining whether a computing entity has stored a resource containing the object, and, if so, skipping steps 2-5 (retrieving and building the resource for the object) (e.g. abstract; col. 5, lines 34-67; col. 6, lines 23-37) (Although Kumar discloses the cache is located on the server, one would find it obvious to move the cache to the client in order to further speed up the search process and to reduce processing burdens on the server and as seen at col. 8, lines 8-9). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Kumar with Dorsett since Dorsett discloses saving data for later usage and for storage (p. 11, ¶ 93). This would lead one to ordinary skill in the art to further speed up this process by conventional methods in the art, one of which is using a cache as found in Kumar.

18. Referring to claim 12, Dorsett discloses the invention substantively as described in claim 3. Dorsett does not specifically disclose determining if the reflection adapter has previously reflected the requested property and if so, skipping step 9. In analogous art, Kumar discloses determining if the reflection adapter has previously reflected the requested property and if so, skipping step 9 (it can be understood that "requested property" could be any value/method instantiated within the object) (col. 7-8, lines 53-12). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Kumar with Dorsett since Dorsett discloses saving data for later usage and for storage (p. 11, ¶ 93). This would lead one to

ordinary skill in the art to further speed up this process by conventional methods in the art, one of which is using a cache as found in Kumar.

***Response to Amendment***

19. The Office has considered the amendments to the claims to overcome rejections under 35 USC 112, first, second and fourth paragraph. These rejections are withdrawn in light of these amendments.

***Response to Arguments***

20. The Office has considered the arguments regarding the 102(b) rejection under AAPA. The Office has withdrawn this rejection.

21. The Office has further considered the arguments made regarding the 102(e) rejection under Dorsett, but are not persuasive.

22. In the remarks, Applicant argues, in substance, that (1) Dorsett does not disclose a resource factory for building resources including a plurality of software modules for building resources each designed to build a resource of a particular type, (2) Dorsett uses a JAVA object as both a resource and an object, and (3) the Office was incorrect in stating that Dorsett discloses using XMI documents by stating that the reference teaches using XML documents.

23. As to point (1) the Office respectfully disagrees. Dorsett discloses a plurality of software modules (i.e. the database server process 130 as well as the client processes<sup>140</sup> which receive or generate data derived from an experiment and package that data using known techniques in a format for communication to data server process 130) (p. 5, ¶ 47). Dorsett further discloses that these client processes build a resource (i.e. the data derived from an experiment) based on a particular type (Dorsett discloses different experiments can be run from client processes and experiment type) (p. 10, ¶ 87). Applicant does not argue any further limiting definitions of "object" or "resource" therefore the Office has given the broadest possible meaning within the scope of the claim. Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterates the need for the Applicant to more clearly and distinctly define the claimed invention. By this rationale the rejection is maintained.

24. As to point (2) Dorsett's JAVA object is considered the resource from the database server process 130. Dorsett further populates (i.e. inserts) the fields of the objects with data retrieved from the database 180 (using method public String GetObject2). Dorsett does disclose creating a resource (a Java object) inserting an object (i.e. data to a field) and then transmitting the resource (which includes the data field). By this rationale the rejection is maintained.

25. As to point (3) the XML documents described and used in Dorsett disclose all the qualities which are required for an XMI document. As taken in Francis, "XML Metadata Interchange Format (XMI) specifies an open information interchange model that is intended to give developers working with object technology the ability to exchange programming data over the Internet in a standardized way" (col. 7, lines 5-10). An XMI document is nothing more than just an XML document which transports data from one system to another in its broadest interpretation, which is done in Dorsett using these XML documents (Dorsett discloses the client process 140 generates XML code to store experiment result data and sends it to a database server process 130). Applicant does not argue nor claims a further limiting view of the term "XMI document" (i.e. "wherein the document conforms to the XMI specification") and therefore the Office construes this term in the broadest possible sense as taken in the art. By this rationale the rejection is maintained.

### ***Conclusion***

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

28. Ims (USPN 6,542,908) discloses automatically and transparently transforming software components into software components capable of execution in a client/server environment.

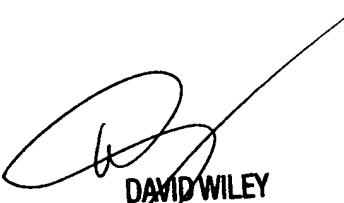
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEA  
March 30, 2005



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